

REMARKS

In an office action dated 15 September 2003, the Examiner rejects claims 1-16 (all pending claims) of this Application. In response to the rejections, Applicants respectfully traverse the rejection. Claims 1-16 (all pending claims remain in the application. In light of the following arguments, applicants respectfully request that the Examiner remove the rejections and allow this Application.

The Examiner rejects claim 1 under 35 U.S.C. §102 (a) as being anticipated by U.S. Patent Number 6,345,383 issued to Ueki (Ueki). To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Bariant, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

The first element of claim 1 states: a debug support module configured to associate a debug flag with debug commands issued within the data processing system." Ueki does not teach this element. Ueki teaches a debugging system for software applications written in an object-oriented programming language. There is no mention in the entirety of the Ueki reference of associating a debug flags with debug commands issued by a debug support module. The Examiner cites col. 5, lines 64-67 as teaching associating a debug flag with a debug command. However, the cited passage states "the designation as a member may be realized, for example, by securing a flag block corresponding to each instance and raising this flag while an object is designated as a member." This passage is stating how to identify data objects in an application being debugged or being operated on by the debugging software are identified and does not mention or teach anything about commands issued by the debugging software. Thus,

the use of the flag is for two different uses in the debugging programs and does not teach the element recited in amended claim 1.

Furthermore, amended claim 1 has a second element that sets a debug flag for the process created in response to flags. There is no mention in the Ueki reference does not teach this limitation. In fact, the Ueki reference does not teach the creations of new processes for a debugging module. More specifically, Ueki does not teach setting a flag for processes initiated or spawned by the debug module. The Examiner cites column 4, lines 51-54 as teaching this element. However, the cited portion Ueki is merely teaching a debug support device which is a process generated by the debugger that captures messages sent between objects in a software application being debuged and sends the messages to a debugger object for collection and analysis. This part of Ueki has nothing to do with a kernel that is not a part of the debugger application marking processes initiated for a debugger application. Thus, the kernel recited in the second limitation of amended claim 1 is not taught by Ueki. For the above reasons, Applicants respectfully request amended claim 1 be allowed.

Claims 2-4 are dependent from claim 1. Thus if claim 1 is allowable then claims 2-4 are allowable for at least the same reasons. Therefore, Applicants respectfully request that claims 2-4 be allowed.

The Examiner rejects claim 5 under 35 U.S.C. §102(b) as being anticipated by Ueki. To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements “arranged as in the claim.”

Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

Amended Claim 5 recites an element of associating a debug flag with a destination process responsive to said source process being associated with a debug flag. Ueki does not teach this limitation. The Ueki reference teaches the process by which a debug program debugs software applications. There is no teaching in the Ueki reference of handling messages between the applications providing the debugging. Instead, the cited reference Col. 4, lines 51-54 teach how messages between objects in the application being debugged are handled. Applicants have read the entirety of the Ueki reference and cannot find any discussion of placing a debug flag in a destination process if the source process is associated with a debug flag. Thus, the associating element of amended claim 5 is not taught and the rejection of claim 5 must be removed. Therefore, applicants respectfully request claim 5 be allowed.

Claims 6-8 depend from claim 5. Thus, claims 6-8 are allowable as being dependent from an allowable independent claim. Thus, any other arguments to the allowability of claims 6-8 is moot. Applicants respectfully request claims 6-8 be allowed.

Claim 9 is rejected under 35 U.S.C. §102(b) as being anticipated by Ueki. Amended claim 9 recites a device that performs the method of amended claim 5. Thus, claim 9 is allowable for the same reasons as amended claim 5. Therefore, Applicants respectfully request amended claim 9 be allowed.

Claims 10-12 depend from claim 9. Thus, claims 10-12 are allowable as being dependent from an allowable independent claim. Thus, any other arguments to the

allowability of claims 10-12 is moot. Applicants respectfully request claims 10-12 be allowed.

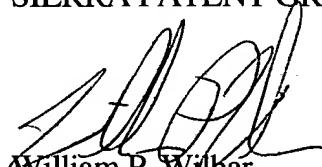
Claim 13 is rejected under 35 U.S.C. §102(b) as being anticipated by Ueki. Amended claim 13 recites a device, in means plus function language that performs the method of amended claim 5. Thus, claim 13 is allowable for the same reasons as amended claim 5. Therefore, Applicants respectfully request amended claim 13 be allowed.

Claims 14-15 depend from claim 13. Thus, claims 14-15 are allowable as being dependent from an allowable independent claim. Thus, any other arguments to the allowability of claims 14-15 is moot. Applicants respectfully request claims 14-15 be allowed.

If the Examiner has any questions regarding this response or the application in general, the Examiner is invited to telephone the undersigned at 775-586-9500.

Respectfully submitted,
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